

***United States Court of Appeals
for the Second Circuit***



APPENDIX

2nd CIRCUIT U.S. COURT OF APPEALS

77-4084

CAROL PRYCE,

Petitioner,

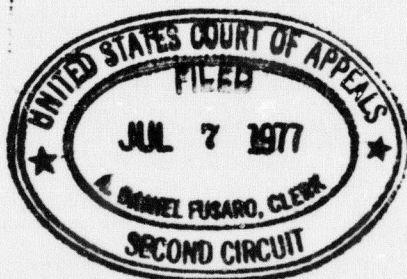
v.

IMMIGRATION & NATURALIZATION SERVICE,

Respondent.

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PS

PAPERS IN LIEU OF APPENDIX



NEW YORK, N.Y.
July 7th, 1977

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UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

-----x
CAROL PRYCE,

Petitioner,

- v -

IMMIGRATION AND NATURALIZATION
SERVICE,

Respondent.
-----x

: PETITION FOR JUDICIAL
: REVIEW OF ADMINISTRA-
: TIVE AGENCY ACTION

: Docket No. 77-4084

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Dated: New York, New York
May 13, 1977

Respectfully submitted,

ROBERT B. VISKE, Jr.,
United States Attorney for the
Southern District of New York
Attorney for Respondent

RICHARD J. LEON
Special Assistant United States Attorney
of counsel



15-189F

United States Department of Justice

Board of Immigration Appeals

Washington, D.C. 20530

NOV 22 1976

File: A18 559 643 - Buffalo

In re: CAROL PRYCE aka JUNIOR PRYCE

IN DEPORTATION PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Steven R. Schlam, Esquire
Ronald W. Freeman, Esquire
335 Broadway
New York, NY 10013

ON BEHALF OF I&N SERVICE: Richard Rogers
Acting Trial Attorney

CHARGE:

Order: Section 241(a)(13), I&N Act (8 U.S.C. 1251
(a)(13)) - Knowingly and for gain,
aided, abetted and assisted an alien
to enter the United States

APPLICATION: Voluntary departure

This is an appeal from an order of an immigration judge dated June 3, 1976 finding the respondent deportable as charged, ordering his deportation to Jamaica, and denying his application for voluntary departure. The appeal will be dismissed.

The record relates to a 26-year-old male citizen of Jamaica who, on October 1, 1973, was admitted into the United States as a returning resident. At the time of his return he was charged with knowingly and for gain aiding, abetting and assisting an alien to try to enter the United States, section 241(a)(13), Immigration and Nationality Act (8 U.S.C. 1251(a)(13)).

On January 6, 1975, in the United States District Court for the Western District of New York, the respondent was found guilty of unlawfully and knowingly attempting to bring into the United

States an alien not lawfully entitled to enter or reside in the United States in violation of 8 U.S.C. 1324 and 18 U.S.C. 371. He was sentenced to one year imprisonment (Ex. 3).

Section 241(a)(13) of the Act makes deportable an alien who, prior to or at the time of entry, or any time within five years after any entry, shall have, knowingly and for gain, encouraged, induced, assisted, abetted or aided any other alien to enter or try to enter the United States in violation of law.

On appeal counsel argues (1) that the evidence adduced by the Service does not establish that the respondent did knowingly and for gain, aid, abet and assist an alien to enter the United States illegally; and (2) that the evidence of deportability introduced by the Service is not clear, convincing and unequivocal.

We reject counsel's contention. The respondent admitted that on October 1, 1973, he went to Toronto, Canada, where he met Keith Grizzle, a native and citizen of Jamaica to whom he gave spurious identity documents (drivers license, Xerox Corporation employee's identification badge, and blood donor's card) (Tr. pp. 6, 9). At the behest of his alleged common-law wife, Monica Pryce, the respondent offered to smuggle Keith Grizzle into the United States (Tr. p. 10). The respondent insisted, however, that he was not to receive any remuneration for trying to smuggle Keith Grizzle into the United States (Tr. p. 9).

The Government presented as witnesses Keith Grizzle, and William C. Devine, an investigator, who prepared the sworn statement of Monica Pryce dated November 10, 1973 (Ex. 6). Monica Pryce died on January 30, 1975. The deportation proceedings in this matter were held on October 20, 1975. A summary of the testimony of witness Keith Grizzle and his sworn statement given to Richard Corcoran, an investigator in the Immigration and Naturalization Service dated October 1, 1973 (Ex. 4) are as follows: (1) that he attempted to enter the United States at Lewiston, New York, with false documents furnished him by the respondent (Tr. pp. 17, 18); (2) that he was to pay \$300 for the documents (Tr. p. 20); (3) that he had \$150 he was going to pay and his girlfriend (Monica Pryce) was going to pay the other \$150 (Tr. p. 21); and (4) that he learned from Monica Pryce that he was to pay the money to the respondent (Tr. p. 24).

On November 10, 1973, Monica Pryce gave a sworn statement to William C. Devine, an investigator in the Immigration Service. Also present on that occasion were Keith Grizzle, as an advisor

to Mrs. Pryce, and Lawrence Solinski, an investigator in the Immigration Service. Mrs. Pryce stated that she entered into an agreement with the respondent to smuggle Keith Grizzle into the United States for \$300, and that in furtherance of such an agreement the respondent had Mrs. Pryce supply him with Keith Grizzle's age, height, and address in Toronto, Canada (Ex. 6, pp. 6, 7). The amount agreed upon was \$300, half of which she agreed to pay and Keith Grizzle would pay the other half (Ex. 6, p. 7). In response to the question whether she discussed payment of \$300, she answered "Yes, he said I would give him the money. When he reached Canada, Keith would give them the money but that don't know them who" (Ex. 6).

It is appropriate at this point to note that the Government presented as witnesses an investigator of the Immigration and Naturalisation Service who interviewed Monica Pryce and formalised her statement (Ex. 6). The investigator, William Devine, when asked by counsel to point out in Monica Pryce's statement where it states that "money was supposed to be paid to Carol Pryce," testified as follows:

A. Right there.

Q. And you are indicating that the second question from the bottom on page 6 in the question and answer of Monica is: "At any of these meetings with Carol Pryce, did you discuss payment of the \$300?" And the answer, "Yes, he said I would give him the money. When he reached Canada, Keith would give them the money but that they didn't know who them." Didn't know them, who? Could you read that for me, sir, because I can't.

A. At any of these meetings with Carol Pryce, did you discuss the payment of the \$300? "Yes, he said I would give him the money, when he reached Canada, Keith would give them the money but that don't know them who."

Q. Do you know what that means?

A. Yes, it means that she didn't know who the person particularly Kilo was supposed to get the money.

(This witness identified "Kilo" as Leroy Stefus whose whereabouts at the time of the deportation hearing was unknown. Leroy Stefus drove the vehicle which was used to transport Keith Grizzle across the border.)

Mr. Devine also testified in response to the immigration judge's question "did you know or did you get any reason to believe that Monica said anything about the money or the payment or to whom or anything like that, to Mr. Grizzle?" as follows:

A. Yes.

Q. How did you know this?

A. When I first contacted Mrs. Pryce. I contacted her at her home at 210 -- no, 217 Avenue A. And I went to her home and she didn't want to make a statement at the home but she gave me a little info on what happened. So that I said, "Well, if you wish to make a statement here, I'll take the statement here." And she said, "I'd rather take it at your office." I went down to the office and I already had an indication before I took this sworn statement from her as to what is on her testimony.
(Tr. p. 56)

Counsel objected to the receipt in evidence of the sworn statement of Monica Pryce (Ex. 6). We know of no regulation or rule of law, pertaining to administrative proceedings which would prevent the receipt in evidence of the statement in question. In administrative proceedings, the question is not whether the evidence is admissible, but whether it is probative, U.S. ex rel. Bilokumsky v. Tod, 263 U.S. 149 (1923); Matter of J-, 6 I&N Dec. 496 (BIA 1955). The immigration judge found that the testimony of Keith Grizzle sufficiently corroborated the sworn statement of Monica Pryce to convincingly overcome the respondent's denial of any "gain."

The immigration judge is primarily the trier of fact and is in the best position to judge the demeanor and credibility of witnesses. We have consistently held that "credibility" involves more than simple demeanor, rather, it concerns an overall evaluation of the testimony of the various witnesses in the light of its rationality, internal consistency and the manner in which it

hange together with other evidence. As applied to decisions of immigration judges in deportation proceedings, it was found in Espinosa Ojeda v. INS, 419 F.2d 183 (9 Cir. 1969), that if an immigration judge's evaluation of the credibility of witnesses at a deportation hearing rests upon reasonable, substantive and probative evidence, a reviewing court should not disturb it.

Upon evaluating and weighing the evidence submitted by the Service and the respondent, pursuant to the above guidelines, we find that the evidence adduced by the Service is more credible than that introduced by the respondent. Based on this finding, we conclude that there is clear, convincing and equivocal evidence that the facts alleged as grounds for deportation are true.

Counsel contends that the Government failed to establish "gain," citing Ribeiro v. INS, 531 F.2d 179 (3 Cir. 1976). We reject this contention.

The fact that "gain" was to occur later is immaterial, Matter P-G-, 7 I&N Dec. 114 (BIA 1917); Matter of R-D-, 2 I&N Dec. 758 (A.G. 1947). In the latter case, the Attorney General construed the word "gain" in a practical sense to cases where the illegal smuggling was encouraged or assisted for venal reasons even though the advantage accrues to the alien be an anticipated benefit. Matter of R-D-, supra, contain some of the legislative history of the Immigration Act of 1917, as amended by section 20 of the Act of June 28, 1940, also known as Alien Registration Act.

The sum of \$300 agreed upon by the respondent and Mrs. Pryce cannot be considered to be "modest" nor "reimbursement" for gasoline and expenses incurred by the respondent in the 240-mile-round trip from Rochester, New York, to Toronto, Canada. We take administrative notice that gasoline and expenses incurred in such a trip would not exceed \$100. We therefore conclude that the rationale of Ribeiro, supra, urged by counsel is dissimilar from that in the instant case and therefore inapplicable.

Our review of the record satisfies us that the respondent acted "knowingly" in attempting to smuggle Keith Grizzle into the United States. The respondent's testimony regarding his participation in the conspiracy to bring Keith Grizzle across the border, as well as his conduct in carrying out the plan, is sufficient to meet this requirement, Reyes v. Neely, 228 F.2d 609 (5 Cir. 1956).

Section 244(e) of the Act provides that the respondent must establish that he is and has been a person of good moral character for a period of five years preceding the filing of his application. The immigration judge concluded that the respondent is ineligible for voluntary departure by reason of the bar against a finding of good moral character contained in section 101(f)(7). Section 101(f)(7) provides in substance that for the purpose of the Act, one who has been confined as a result of conviction, to a penal institution for an aggregate of one hundred and eighty days or more cannot be regarded as, or found to be a person of good moral character. We agree with the immigration judge that the respondent is not eligible for the relief of voluntary departure. The favorable exercise of administrative discretion is not warranted in this case.

Our review of the record and counsel's brief satisfies us that the hearing was fair and that deportability has been established by clear, convincing and unequivocal evidence. Accordingly, the following order will be entered.

ORDER: The appeal is dismissed.

Chairman

STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

RECORD OF SWORN STATEMENT

Office: Buffalo, N.Y. File No.: A30 035 004

Statement by: MONICA PRYCE

In the case of: CAROL PRYCE

At: Room 304, Federal Bldg., Rochester, N.Y. Date: Nov. 10, 1973

Before: William C. Devine, Investigator
(Name and Title)

In the English language. Interpreter not used.

Also present as witnesses are Keith Grizzle and Investigator Lawrence Solinski.

I am an officer of the United States Immigration and Naturalization Service, authorized by law to administer oaths and take testimony in connection with the enforcement of the Immigration and Nationality laws of the United States. I desire to take your sworn statement regarding: any assistance you may have rendered Mr. Keith Grizzle a Jamaica native to attempt an illegal entry into the United States at Lewiston, New York on October 1, 1973. I also wish to question you as to any arrangements you may have made with a third party to render assistance to Keith Grizzle to enter the United States at Lewiston, New York on October 1, 1973.

Before we ask you any questions, you must understand your rights.

You have the right to remain silent.

Anything you say can be used against you in court, or in any immigration or administrative proceeding.

You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.

If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish.

If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

Q. Do you wish to have a lawyer or any other person present to advise you?

A. I wish to have Keith Grizzle.

Let the record show that Keith Grizzle is present to advise Mrs. Pryce

Q. Are you willing to answer my questions at this time?

A. Yes.

Q. Do you swear that all the statements you are about to make will be the truth, the whole truth and nothing but the truth, so help you God?

A. Yes.

11/14/75
EX-6-
Form I-263B (Rev. 4-1-63)

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Q. & A. Statement of MONICA PRYCE (cont'd)
In re: CAROL PRYCE, A30 085 004

Q. What is your true and correct name?
A. Monica Terill Pryce.

Q. Of what country are you a citizen?
A. Jamaica.

Q. What is the date and place of your birth?
A. Kingston, Jamaica, the 29th of January, 1945.

Q. Is Pryce a married name?
A. Yes.

Q. What was the date of your marriage?
A. The 20th of May, 1971.

Q. What is your husband's name?
A. Carol Pryce.

Q. Is Carol Pryce a resident of the United States?
A. Yes.

Q. Where does he reside?
A. Ten Dudley Street.

Q. In Rochester, New York?
A. Yes.

Q. Are there any children of this marriage to you between you and Carol Pryce?
A. No.

Q. What is your immigration status in the United States?
A. An immigrant.

(Let the record show that file A30 085 004, indicates that Monica Municy Pryce was admitted to the United States at Baltimore, Maryland on June 30, 1973.)

Q. Mrs. Pryce, since your entry into the United States on June 30, 1973, where have you resided?
A. Ten Dudley Street.

Q. How long did you remain at 10 Dudley Street?
A. About a month.

Q. & A. Statement of MCNICA PRYCE (cont'd)
In re: CAROL PRYCE, A30 085 004

Q. With whom did you reside?

A. Carol Pryce.

Q. That is your husband?

A. Yes.

Q. After one month at 10 Dudley Street, did you move?

A. Yes, it was at 210 Avenue A.

Q. With whom did you reside at 210 Avenue A?

A. Myself.

Q. When did you move from 210 Avenue A?

A. The 8th of October.

Q. Where did you move to?

A. 217 Avenue A.

Q. Do you still reside at 217 Avenue A?

A. Yes.

Q. With whom do you reside?

A. Keith Grizzle.

Q. How long have you been acquainted with Keith Grizzle?

A. About seven years.

Q. Is this the same Keith Grizzle who attempted to enter the United States at Lewiston, New York on October 1, 1973?

A. Yes.

Q. During that period which you knew him in Jamaica, did you reside with him as man and wife?

A. Yes.

Q. Can you tell me how long?

A. Five years.

Q. Can you tell me the period of time?

A. From 1968, until 1973.

Q. Then you resided with Keith Grizzle until the date that you left Jamaica to come to the United States?

A. Yes.

Q. & A. Statement of MONICA PRYCE (cont'd.)
In Re: CAROL PRYCE, A30 045 004

Q. Were there any children born of this Common Law relationship between you and Keith Grizzle?

A. Yes.

Q. What is the child's name?

A. Michelle Grizzle.

Q. During this period in which you had a Common Law relationship with Keith Grizzle, were you married?

A. Yes.

Q. To whom were you married?

A. Carol Pryce.

Q. After your marriage to Carol Pryce, did you apply for and obtain an immigrant visa to come to the United States?

A. Yes.

Q. After receiving this visa and prior to your departure from Jamaica, did you discuss with Keith Grizzle the possibility of him joining you in the United States to continue your manner of living?

A. Yes, I tell him that when I reach the border here I'll get someone to sponsor him.

Q. After arriving in the United States on June 30, 1973, did you attempt to find anyone to sponsor Keith?

A. No.

Q. Prior to your departure from Jamaica, did you make any inquiries yourself at the United States Consulate as to how Keith Grizzle might come as a visitor to the United States?

A. Yes, I went and asked them if he could come up for a visit. They say have to have place and certain amount of money. Well true we know he didn't have it. (undecipherable)

Q. Then to your knowledge Keith Grizzle never applied for a visitor's visa to the United States?

A. No.

Q. After your arrival in the United States, did you correspond with Keith Grizzle as to his coming to the United States or Canada?

A. I corresponded with him, but not about coming to the United States or Canada.

Q. Did there come a time when he advised you that he was coming to Canada?

A. Yes, once I phone, he said he wasn't keeping any good health because the sun is getting hotter and he can't wait until I hear so he going to ask his sister to help him to Canada. I said "Yes he can go and then every other weekend I will come and visit him."

Q. & A. Statement of MONICA PRYCE (cont'd.)
In Re: CAROL PRYCE, A30 035 004

Q. Did you subsequently receive a call from anyone that Keith Grizzle was to arrive in Canada?

A. Yes, his sister phoned and said he is coming to Canada on the 14th of September and he said I was to come over.

Q. Did you go to Canada to meet Keith Grizzle at this time?

A. Yes.

Q. Did you at that time discuss the possibility of him coming to the United States?

A. Yes, he said he would like to come to Rochester, if someone, if I get someone (undecipherable)

Q. After you arrived back in the United States, did you contact anyone to sponsor Keith Grizzle into the United States?

A. Yes, one day I and Carol was talking and he said that he hear I got this friend.

Q. Would you please identify the person you name as Carol?

A. Carol Pryce, my husband said he hear I went to Canada and I said "Yes" and was then I said "Do you know anybody could sponsor a friend for me?" And him say him don't know anybody but he see if he get someone to sponsor him.

Q. Mrs. Pryce, I now show you a photograph. Could you identify this person?

A. Yes.

Q. Who is it?

A. Carol Pryce?

Q. Your husband?

A. Yes.

Q. Would you sign the back of that for identification purposes please?

(Let the record show that Monica Pryce signed the back of the photograph of Carol Lemington Pryce, A18 539 643, for identification purposes.)

Q. During your conversation with Carol Pryce, did he advise you that he could find someone to sponsor or bring Keith Grizzle into the United States?

A. At that time he said he would see if he could find anyone that could bring him. A couple days after he said he had a friend.

Q. When was this approximately that you talked to him the first time?

A. After I came back from Canada.

Q. & A. Statement of MONICA PRYCE (cont'd.).
In Re: CAROL PRYCE, A30 085 004

- Q. The weekend after you came back which would have been the 8th, approximately the 18th or 19th?
- A. Around the 22nd of September.
- Q. After your discussion on the 22nd of September, were you again approached by Carol Pryce?
- A. Yes, he said he have a friend.
- Q. When did this meeting take place?
- A. Around the 25th.
- Q. And what was the topic of your conversation?
- A. He said, "I get someone who could help, help your friend you know, " I said "Unhuh" and he said, "Here's what him say will cost you, \$300." I said "All right, I will get in touch with Keith and he will pay his part and I will pay the rest later on."
- Q. Did you contact Keith Grizzle on that date?
- A. I called Keith on the 25th and tell him that I get someone to sponsor him but it will cost him \$300, so he can give the \$150 that he has and I will pay the rest later on for him.
- Q. Following the meeting on the 25th of September, 1973, did Carol Pryce, did he again call you or come to your house?
- A. Yes, he called and asked me Keith's age and Keith's height and how old he was. I told him and he said that's okay.
- Q. Did he ask you his name at that time?
- A. No, he said he would come back and pick up his address and so on.
- Q. Did Carol Pryce ever come to your house at 210 Avenue A and pick up the address of Keith Grizzle?
- A. Yes, he came on the weekend and said I have to give him the address and name because his friend will go for Keith on the Monday, which was the first, so I give it to him.
- Q. Did Carol Pryce identify who his friend was?
- A. His friend was Kilo.
- Q. At any of these meetings with Carol Pryce, did you discuss payment of the \$300?
- A. Yes, he said I would give him the money. When he reached Canada, Keith would give them the money but that don't know them who.
- Q. Did he say how you were to pay your share of the money?
- A. No. I didn't tell him. I didn't tell him all. You see, I would look about that as soon as Keith came over.

Q. & A. Statement of MONICA PRYCE (cont'd.)
In Re: CAROL PRYCE, A30 085 004

Q. Then, Mrs. Pryce, your understanding was from your husband that the friend would go to Canada to pick up Keith Grizzle, that upon arriving in Rochester, Keith Grizzle would pay the \$150 as his share, that you would pay the additional \$150 as your share when the time came?

A. Yes.

Q. Did you tell Keith Grizzle this arrangement?

A. Yes.

Q. When did you tell him?

A. The 25th of September.

Q. And was this agreeable with him?

A. Yes.

Q. After your meeting with Carol Pryce on the weekend when you gave him the name of Keith Grizzle at his address in Canada, can you tell me what that address was?

A. 996 O'Connor Drive, Toronto.

Q. After you gave Carol Pryce the address of 996 O'Connor Drive, Toronto, did you also tell him the name of the person he was to pick up?

A. Yes.

Q. Did he at that time indicate that he knew Keith Grizzle?

A. No, he said he didn't know him.

Q. Did you then make any phone calls to Keith Grizzle on September 29, 1973?

A. Yes, I call him and tell him someone would come and pick him up the Monday. Ask me "Who is it" I tell him I don't know, I don't know the person but someone will come and pick him up.

Q. Did you hear from Carol Pryce after that meeting on September 29?

A. He called me the first of October around 9 or 8 o'clock, I don't remember the time and asked if Keith didn't come as yet. They didn't come as yet? I said "No" He said, "How come they don't come yet, they must be lost." Said "Okay we'll see you."

Q. Was this a collect call?

A. Yes.

Q. Where was the collect call from?

A. Buffalo.

Q. Mrs. Pryce, did your husband, Carol Pryce, inform you as to where he was at that time?

A. Yes, he was in Buffalo.

Q. & A. Statement of MONICA PRYCE (cont'd.)
In Re: CAROL PRYCE, A30 035 004

Q. Did he say where in Buffalo?
A. At the airport.

Q. Did he tell you that he would see you later that night?
A. Yes, he said he would see me.

Q. Could he give you any explanation as to why Keith was not in the United States?

A. No, when he come, he said, "They don't reach yet." I said "No." He said, "Then what could happen to them."

Q. This conversation you are repeating now is something he came to your house later that night?

A. At 210 Avenue A. He said, "They don't reach yet." I said "No." He said, "Then what could keep them?" I don't know what I'm doing. He sit there for awhile and said "How them don't come back yet." Then left and say would see me."

Q. Have you had any conversations with Carol Pryce regarding this since that date?

A. Not much, since we didn't have any conversations unless I asked.

Q. I'm talking about any conversations about the attempted entry of Keith Grizzle on October 1.

A. No, he didn't say anything to me because I was upset. I didn't even talk.

Q. Have you ever asked him about this incident?

A. No.

Q. Were you contacted by anyone else and advised that Keith had been stopped at the border or was in jail?

A. Yes, his friend phone. I get a collect call from one, Leroy Cephas, I said, "Who is this?" And the person said "Kilo, Monica, them hold me and Keith and want get somebody to bail out."

Q. You say Kilo called you. Is this the same person that Carol Pryce told you would bring Keith Grizzle to the United States?

A. Yes.

Q. Once more I would like to ask you about the conversation which you had when he told who would bring Keith to the United States. Would you repeat the conversation for me?

A. He said he had a friend who could help me. He said his friend is "Kilo." He said he would ask from Kilo if he would take the money, now I have said I would pay it. Well, he really didn't discuss anything more to me, concern more than that what we agreed.

Q. & A. Statement of MONICA PRYCE (cont'd.)
In Re: CAROL PRYCE, A30 085 004

Q. Did he subsequently tell you that Kilo had agreed to the terms in which you said Keith would pay the \$150, and you would pay another \$150 at a later date?

A. Yes.

Q. Mrs. Pryce, were you aware of the method by which Carol Pryce, your husband, was to bring Keith Grizzle into the United States?

A. No.

Q. Was any of the money that was agreed upon paid to Carol Pryce or to the person known as Kilo? I'll repeat that question. Was any of the \$300, that was agreed upon for bringing Keith to the United States paid to Kilo or to Carol Pryce?

A. No.

Q. Was any attempt made to collect this money?

A. No, no.

Q. Mrs. Pryce, do you have any children?

A. Yes.

Q. What are their names?

A. Munoz Price, Barrington Price, Nadine Williams, and Michelle Grizzle.

Q. Who is the father of Munoz Price and Barrington Price?

A. Barrington Price.

Q. Is Barrington Price a resident alien in the United States?

A. Yes.

Q. Is he the brother of Carol Pryce?

A. Yes.

Q. Nadine Williams, is this child also in Jamaica?

A. Yes, Nadine Williams, Barrington Price, and Michelle Grizzle are in Jamaica with my mother.

Q. You say Michelle Grizzle, is this the child who was born of the Common Law relationship between you and Keith Grizzle?

A. Yes.

Q. Do you have anything you wish to add to this statement?

A. I didn't know this was a crime to bring Keith over here.

BY INV. DEVINE: This is a termination of a statement made by MONICA PRYCE in Rochester, New York, on November 10, 1973.

Q. and A. Statement of MONICA PRYCE (cont'd.)
In Re: CAROL PRYCE, A30 085 004

BY INV. DEVINE: This is a supplement to the statement made by MONICA PRYCE on November 10, 1973.

Q. Mrs. Pryce, you have asked me about your son, Munoz. Can you tell me where he presently resides?

A. On 79 Kron Avenue, Rochester.

Q. With whom does he reside?

A. His father.

Q. Is he a permanent resident of the United States?

A. Yes.

Q. Mrs. Pryce, since Barrington Pryce and, you and Barrington Pryce were not married, he was the putative father but not the father through marriage. Can you tell me, did you sign any papers whereby you surrendered any rights to Munoz Price?

A. Just the papers that they gave me at Embassy to sign as the mother, I signed them.

Q. And in these papers then you stated that you would not try to claim the child back?

A. Yes.

Q. The child though, at present, is your natural child, and he is residing at 79 Kron Avenue in Rochester, New York?

A. Yes.

Q. Do you wish to have anything to say anything else in this statement?

A. No.

Q. Mrs. Pryce, I would like to ask you one question before this terminates. Mrs. Pryce, have you been at any time been promised that you would be granted immunity from prosecution for making this statement, or have you been promised anything in the form of lighter sentences in the event of conviction or after a criminal trial?

A. No.

Q. & A. Statement of MONICA PRYCE (cont'd)
In re: CAROL PRYCE, A30 095 004

Q. Have you made this statement freely and voluntarily of your own accord and without promises, threats, or coercion?

A. Yes.

BY INV. DEVINE: This is the termination of a sworn statement made by MONICA PRYCE in Rochester, New York on November 10, 1973.

I certify that the foregoing statement consisting of eleven (11) pages is a true and correct transcription of an Edison Voicewriter record in this matter.

Elizabeth A. Schwitzer
EAS, Clerk-Stenographer

A Copy of the within Papers in lieu of Affidavit was served upon
the U.S. Attorney, this date.

COPY RECEIVED
Robert B. Fiske Jr.
UNITED STATES ATTORNEY
7/8/77